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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/508,870	10/04/2000	Yuraki Furuhashi	16869P-00610	4059

7590

11/07/2002

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EXAMINER

CHANCE, JANET D

ART UNIT

PAPER NUMBER

3626

DATE MAILED: 11/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/508,870

Applicant(s)

FURUHATA ET AL.

Examiner

Janet D. Chance

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the application filed 4 October 2000. Claims 1-5 are pending.

Drawings

2. The drawings are objected to because Element number 110 in Figure 1 refers to both "Travel expense slip editing means" and "Travel expense slip transmission means". Element numerals must not refer to more than one element.

Specification

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because the prescribed length of 150 words has been exceeded. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

4. Claims 4-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(A) Claims 4-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "characterized in that" renders the claims indefinite as it is not clear if the system includes just those recited characterizations or other implied limitations, thereby rendering the scope of the claims unascertainable.

Further the phrase "and so forth" in line 6 of claim 5 also renders the claims indefinite as it is not clear what limitations are included in the claim, thereby rendering the scope of the claim unascertainable.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-2, and 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garback (5,237,499).

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(A) As per claim 1, Garback teaches a schedule a management system comprising a terminal device (22) interconnected over a line for performing travel expense adjustment processing

(Garback; Figure 1) wherein,

a) at least one of the terminals serves as a management terminal device (10) which manages schedules of users managed in the system on an external storage apparatus (Garback; Figure 1 and col. 2, lines 19-22);

b) each of said plurality of terminal devices other than the management device serves as a schedule inputting terminal having an inputting means for inputting schedule information (Garback; col. 4, lines 63-67);

c) the schedule management system comprises an external storage apparatus (12) for storing schedule information inputted from the inputting means of the schedule inputting terminal (Garback; col. 4, lines 63-67 and col. 3, lines 10-15) and published fare information (i.e., travel expense adjustment information) including a booking code indicating whether or not travel expense adjustment has been performed (Garback; Figure 1, col. 5, lines 40-60 and col. 6, line 61 to col. 7, line 8); and

d) search means for comparing published travel fare information (i.e., travel expense adjustment information) and the schedule information to search for instances of where the published fare (i.e., adjustment information) is lower than the negotiated fare (i.e., schedule information) to search for non-adjusted travel expense information (Garback; col. 5, lines 40-60).

As per the recitation of a plurality of terminal devices, the courts have upheld that it is obvious to duplicate parts for multiple effects. *In re Harza*, 124 USPQ 378, 380; 274 F.2d 669 (CCPA 1960).

(B) As per claim 2, Garback teaches a schedule information management system wherein the travel expenses adjustment information includes a person identification information (20) (Garback; Figure 1 and col. 4, lines 58-62) and information representative of an outwork date (Garback; col. 4, lines 11-18, col. 5, lines 40-46 and col. 6, lines 18-19); and

a) the schedule information includes person identification information (Garback; Figure 4, Employee I.D. #) and information representative of a planned outwork date (Garback; col. 4, lines 11-18, col. 5, lines 40-46 and col. 6, lines 18-19).

(C) As per claim 4, Garback teaches a schedule management system comprising a plurality of user terminals connected to a LAN, characterized in that the user terminals comprise, in a particular terminal for managing schedules of users (Garback; col. 3, lines 10-15),

a) in inputting means for inputting schedule information (Garback; col. 3, lines 10-15), a schedule information editing means for editing the schedule information obtained from inputting means in a form for management on an external storage apparatus, a schedule information storage means for storing the edited schedule information onto the external storage apparatus (Garback; col. 3, lines 25-30).

b) a non-adjusted travel expense information search means for comparing the travel expense adjustment information stored on the external storage apparatus (28) and the schedule information stored on the external storage apparatus (12) with each other to search for lower fares (i.e., non-adjusted travel expenses) (Garback; Figure 1 and col. 5, lines 40-60), a schedule

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and message display/reply means for displaying the schedule information and the non-adjusted information on a screen of the terminal (Garback; col. 5, lines 1-3 and lines 34-40),

c) a travel expense information inputting means for inputting travel expense adjustment information when non-adjusted travel expenses are detected, a travel expense adjustment editing means to create a formatted message to book the lower fare (i.e., edit the travel expense information) and means for transmitting the formatted booking message to the CRS (i.e., section in charge of processing) (Garback; col. 5, lines 40-60 and col. 6, line 61 to col. 7, line 8).

(D) As per claim 5, Garback teaches search means that searches for lower fares (i.e., adjustment information) stores on external storage means (28) based on a group member file (20) (i.e., name number) and information of a venue (i.e., destination) (Garback; Figure 1, col. 4, lines 15-20, col. 4, lines 58-62, col. 5, lines 40-60 and col. 6, lines 20-27) and the system can store and search the ticketing file (i.e., expense adjustment information) (Garback; col. 10, lines 26-29) and a venue and travel policy file which contains negotiated discounted vendor list based on past attendance/use (Garback; col. 2, lines 30-55).

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Garback (5,237,499) and further in view of Whitesage (5,191,523).

(A) As per claim 3, Garback teaches, a schedule information management system wherein the non-adjusted travel expense adjusted search means searches for a person identification

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information in the travel expense adjustment information that coincides with the person identification information in the schedule information (Garback; col. 5, lines 40-60);

a) and further searches for the schedule information based on the time and date of the travel request (Garback; col. 6, lines 28-30 and col. 5, lines 40-60). However, Garback does not expressly teach searching for a scheduled outwork date that has passed. Whitesage teaches the searching and retrieval of date based on a date that has passed (Whitesage; col. 7, lines 20-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to add the searching for past outwork date feature of Whitesage to the reservation system of Garback with the motivation of later analysis (Whitesage; col. 7, line 35-36) such as producing accurate cost information for comparison purposes (Whitesage; col. 1, lines 11-12); and

b) And the travel expense adjustment information represents that adjustment of the travel expenses has not been completed (Garback; col. 5, lines 40-60 and col. 6, line 61 to col. 7, line 8).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The recited but not relied upon art teaches a corporate travel controller that allows travelers to access data that includes negotiated contracted fares, travel policy rules, individual and group profiles, and past and present itineraries (5,570,283), a group travel method and apparatus that compares the master trip inventory to group inventory and group name records and adjusts them so that they remain equivalent (5,648,900), and a business trip expense settling

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method that completes the expense report based on the travel data or past instance data, allows for management approval and settles the expenses (JP09-073492).

9. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 305-7687 [Official communications]

(703) 746-7238 [After Final communications, labeled "Box AF"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janet D. Chance whose telephone number is (703) 305-5356.

The examiner can normally be reached on M-F 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (703) 305-9588. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7687 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

JDC
October 30, 2002


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600